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Attorney Docket No. FSHR-008/00US

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of Albert P. MAGGIORE et al.

Serial No.: 09/771,919

Examiner: Urszula M. Cegelnik

Confirmation No.: 9069

Art Unit: 3712

Filed: January 30, 2001

For: EXPRESSION-VARYING DEVICE

U.S. Patent and Trademark Office  
 220 20<sup>th</sup> Street S.  
 Customer Window  
 Crystal Plaza Two, Lobby, Room 1B03  
 Arlington, VA 22202

## INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- In accordance with 37 C.F.R. §1.97(c), also enclosed is:
  - the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
  - a statement as specified in 37 C.F.R. §1.97(e).
- In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. §1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.
- Check in the amount of \$180.00 for the total fee is attached.
- A return receipt postcard is also enclosed.
- Please charge \$\_\_\_\_ to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: June 8, 2004

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Respectfully submitted,  
**COOLEY GODWARD LLP**

By: 

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**Attorney Docket No. FSHR-008/001**

## PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Albert P. MAGGIORE et al.

Serial No.: 09/771,919 Examiner: Urszula M. Cegielnik

Confirmation No.: 9069 Art Unit: 3712

Filed: January 30, 2001

For: **EXPRESSION-VARYING DEVICE**

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220 20<sup>th</sup> Street S.  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97(c)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08A is enclosed.

No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. to which the above-identified application claims priority under 35 U.S.C. §120.

No copies of any U.S. patents or U.S. patent application publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98 because this application was filed after June 30, 2003.

Publication(s) \_\_\_\_\_ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to \_\_\_\_\_ application serial no. and mailed on \_\_\_\_\_.

Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

- Enclosed is a copy of a non-English publication(s) \_\_\_. English language publication \_\_ (copy enclosed) claims priority from this non-English publication.
- Enclosed is an explanation of non-English publication(s) \_\_ for which an English translation is not available.
- Enclosed is an English translation of non-English publication(s) \_\_ cited in the attached Form PTO/SB/08A.
- Enclosed is a copy of pending patent Application Serial No. \_\_\_\_.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of:

- a final action under 37 C.F.R. §1.113;
- a notice of allowance under 37 C.F.R. §1.311; or
- an action that otherwise closes prosecution in this application.

In accordance with 37 C.F.R. §1.97(c) also enclosed is:

- Fee under 37 C.F.R. §1.17(p) in the amount of \$180.00; or
- Statement as specified in 37 C.F.R. §1.97(e):
  - Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
  - No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: June 8, 2004

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Respectfully submitted,  
**COOLEY GODWARD LLP**

By: 

Erik B. Milch  
Reg. No. 42,887

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PTO/SB/08A (08-00)

Substitute for Form 1615 MPTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
Sheet	1	of	1	Application Number	09/771,919
				Filing Date	January 30, 2001
				First Named Inventor	Albert MAGGIORE
				Group Art Unit	3712
				Examiner Name	Urszula M. Cegielnik
				Attorney Docket Number	FSHR-008/00US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
		6,736,694	B2	Hornsby et al.	05-18-2004

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			

OTHER - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<sup>1</sup> Unique citation designation number.

<sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.